

Serial No.: 09/518,551  
Filing Date: 3 MARCH 2000

#### REMARKS

This Amendment and Response is submitted in response to the Office Action mailed 18 JULY 2003 and is timely filed on Monday 20 October 2003. Withdrawal of the rejection and reconsideration with an eye toward allowance is respectfully requested.

#### Claim Status

Claims 1-18, 21-26 and 28-29 are pending after entry of the present amendment. Claims 1-3, 5-26, 28, and 29 stand rejected. The Examiner objected to claim 4. Claims 1-7, 10-12, 16, 18, and 21 are amended herein. Claims 19-20 are cancelled herein, without prejudice or disclaimer towards presenting it them a related application. A complete listing of all claims that are, or were in the application, along with an appropriate status identifier, is provided above in the section entitled "Amendments to the Claims". Markings are provided on claims amended in the present amendment.

#### Specification

The Examiner objected to the abstract as containing too many words. Applicant has amended the Abstract as above, and also encloses a clean copy on a separate sheet, and trusts that the objection will be withdrawn.

#### Claim Rejections – 35 U.S.C. §112

Claims 18-20 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Applicant has amended claim 18, above, such that the rejection is overcome. Further, Applicant has cancelled claims 19 and 20, without admitting the propriety of the rejection.

#### Claim Rejection – 35 U.S.C. §102

Claims 1-2, 7-8, 11, 19, 21-26, and 28-29 were rejected under 35 U.S.C. §102(a) as being anticipated by Uchihori et. al. (U.S. Patent Number 5,996,014). Applicant respectfully submits that Uchihori fails to disclose or suggest RAID controllers, as recited in Applicant's independent claims 1, 7, 11, 16, and 21.

Uchihori is directed toward a video server system including a shared disk array (see col. 5, lines 32-35). In contrast, Applicant's amended independent claims 1, 7, 11, 12, 16 and 21 recite RAID controller(s).

Applicant respectfully submits that Uchihori is silent as to a system including a RAID controller. Judd is limited to the disclosure of a video server system. Claims 2, 24-25, and 28-29 depend from and

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include all limitations of independent claim 1. Claim 8 depends from and includes all limitations of independent claim 7. Claim 19 has been cancelled, without admitting the propriety of the rejection. Claims 22-23 depend from and include all limitations of independent claim 21.. Claim 26 depends from and includes all limitations of Applicant's independent claim 11. Accordingly, Applicant submits that the 35 U.S.C. §102(a) rejection should be withdrawn.

#### **Claim Rejections – 35 U.S.C. §103**

Claims 3, 5-6, 9-10, 12-18, and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Uchihori in view of Hammersley et. al. (U.S. Patent Number 5,392,433). Applicant respectfully submits that the references, taken alone or in combination fail to teach or suggest RAID controllers, as recited in independent claims 1, 7, 12 and 16.

That Uchihori fails to disclose this feature is discussed above.

Hammersley is generally directed to a method for the intraprocess locking of a shared resource. (Abstract, lines 1-2). Generally this assures that only one process may use a shared computer resource, such as a magnetic storage device, at one time (Abstract, lines 8-11).

In contrast, Applicant's amended independent claims recite RAID controller(s). Applicant respectfully submits that the references, taken alone or in combination, fail to disclose a system including a RAID controller. Claims 3, 5-6 depend from and include all limitations of independent claim 1. Claim 9 depends from and includes all limitations of independent claim 7. Applicant has amended claim 10 as an independent claim containing limitations indicated by the Examiner as being allowable. Claims 13-15 depend from and include all limitations of Applicant's independent claim 12. Claims 17-18 depend from and include all limitations of independent claim 16. Applicant has cancelled claim 20, without admitting the propriety of the rejection.

Accordingly, Applicant submits that the 35 U.S.C. §103(a) rejection should be withdrawn.

#### **Allowable Subject Matter**

Applicant notes with appreciation the indication of allowable subject matter in claim 4. Applicant has accordingly amended the claim to place it in independent form. Applicant has further amended claim 10 to include limitations indicated by the Examiner as being allowable. Accordingly, Applicant submits that claim 10 is in condition for allowance.

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**CONCLUSION**

If the Examiner feels it would be helpful, the Examiner is invited to call the undersigned at (415) 781-1989.

Respectfully submitted,  
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